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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/832,981	04/12/2001	Toshiyuki Nakagawa	862.C2198	9705
5514	7590	02/08/2006	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO			VENT, JAMIE J	
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NEW YORK, NY 10112			PAPER NUMBER	

2616

DATE MAILED: 02/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/832,981

Applicant(s)

NAKAGAWA, TOSHIYUKI

Examiner

Jamie Vent

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-28 are rejected under 35 U.S.C. 103(a) as being unpatentable by Shamooin et al (US 2004/0107356) in view of Fukushima et al (US 6,587,985).

[claims 1 & 14]

In regard to Claims 1 and 14, Shamooin et al discloses an information processing apparatus and method for demultiplexing and decoding a bitstream which contains one-or a plurality of object data and management information for managing each of the plurality of object data, and reproducing one-or a plurality of object data (Figure 1 shows the demultiplexing and decoding of the bitstream that contains object and management information), comprising:

- extraction means for extracting, from the management information (Figure 1 shows the extraction of the management information which is further described in Page 14 Paragraphs 0201-0205); and

- control means for controlling a reproduction process of each of the one or plurality of object data based on the time limit information (Figure 2 shows the time stamp wherein is controlled by the reproduction process as further described in Page 3 Paragraph 0056); however fails to disclose the extraction means extracts time limit information which pertains to a time limit set for each of the plurality of object data, wherein the time limit information includes information of a period in which reproduction is permitted.

Fukushima et al discloses a data transmission system wherein information is processed through transmitting of data. The extraction of the transmitted data includes the extraction of time limit information, which determines reproduction time, and if reproduction is permitted as described in Column 4 Lines 25-58. The use of a time limit for the use of reproduction allows the system to properly reproduce data correctly within the limit that is to be processed. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use an information processing apparatus, as disclosed by Shamoon et al, and further incorporate a system that extracts time limit information that pertains to the reproduction of data, as disclosed by Fukushima et al.

[claims 2 & 15]

In regard to Claims 2 and 15, Shamoon et al discloses an apparatus and method wherein the bit stream is an MPEG-4 bit stream, and the management information is

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PMP information appended to the bit stream (Page 9 Paragraphs 0139-0142 describes the MPEG-4 bit stream wherein the management information is PMP information).

[claims 3 & 16]

In regard to Claims 3 and 16, Shamooun et al discloses an apparatus and method wherein:

- said extraction means further extracts control information pertaining to the a control method of the reproduction process set for each of the plurality of object data and access point information for performing the reproduction process set for each of the plurality of object data when the time limit information is extracted (Page 43 paragraphs 0752-0759 describes the extraction means which extracts information pertaining to the control of the object data and access point information); and
- said control means further controls the reproduction process based on the control information and access point information when the reproduction process of each of the plurality of object data is controlled based on the time limit information (Page 37 Paragraph 0612 describes the time limit information which controls the reproduction of the object data due to the limits that are being implemented for the data).

[claims 4 & 17]

In regard Claims 4 and 17, Shamooun et al discloses an apparatus and method wherein said control means comprises acquisition means for acquiring time period information set for each of the one-or plurality of object data, and controls the reproduction process

of each of the plurality of object data in accordance with the time period information and the time limit information (Page 6 Paragraph 0079 describes the time period information that is used for each set of object data as further seen in Figure 5).

[claims 5, 6, 18, & 19]

In regard to Claims 5, 6, 18, and 19, Shamoon et al discloses an apparatus and method wherein the time limit information is a total of browsing, display, or reproduction times since the first browsing, display or reproduction time of contents of a bitstream of the object data (Figure 2 shows a time stamp information wherein the time limit information is specified. Furthermore, it is noted that on Page 3 Paragraph 0056 further describes what consists the time limit information (i.e. rendering of streams) which is included in the time limit information).

[claims 7 & 20]

In regard to Claims 7 and 20, Shamoon et al discloses an apparatus wherein the time limit information is a specific time (Page 37 Paragraph 0612 describes the specific time for the time limit information as described as "check-in" and "check-out").

[claims 8 & 21]

In regard to Claims 8 and 21, Shamoon et al discloses an apparatus and method wherein said acquisition means acquires a time as the time period information from a timepiece that provides a standard time via a network (Figure 24 shows a clock 2434 which acquires time at the time period and provides a standard time through the network connection as further described on Page 19 Paragraph 0298).

[claims 9 & 22]

In regard to Claims 9 and 22, Shamoon et al discloses an apparatus and method wherein said acquisition means acquires a time as the time period information from an internal timepiece of an external computer which does not allow tampering (Page 20 Paragraph 0314 further explains a time piece that does not allow tempering).

[claims 10 & 23]

In regard to Claims 10 and 23, Shamoon et al discloses an apparatus and method further comprising measurement means for measuring time, and wherein said acquisition means acquires the time said measurement means (Page 19 Paragraph 0298 describes the measuring of elapsed time and thereby providing a measurement).

[claims 11 & 24]

In regard to Claims 11 and 24, Shamoon et al discloses as previously recited in Claim 1, an apparatus and method wherein said control means checks based on the time period information and the time limit information if a time limit of object data of interest has expired, and controls at least one of input, decoding, and reproduction of the object data of interest in accordance with the control information, when the time limit has expired (Page 31 Paragraph 0512 and Page 37 Paragraph 0612 describes the time limit information and the expiration of the time wherein the control information determines the time limits have expired).

[claims 12 & 25]

In regard to Claims 12 and 25, Shamoon et al discloses an apparatus and method wherein said control means updates the time limit information in accordance with

reproduction of the object data (Page 5 Paragraph 0079 describes the updating of information including time limit information).

[claims 13 & 26]

In regard to Claims 13 and 26, Shamooun et al discloses an apparatus and method wherein the control means updates the time limit information as new time limit information by counting an elapsed time during browsing, display or reproduction of the object data, and subtracting the counted elapsed time from the time limit information (Page 5 Paragraph 0079 describes the updating of information and providing new time limits. It is further understood on Page 37 Paragraph 0612 that time limit information is calculated based on elapsed time and counted elapsed time. Thereby meeting the limitation of the calculation of the new time limit).

[claim 27]

In regard to Claim 27, Shamooun et al discloses a computer readable storage medium, as previously recited in Claim 1, which stores a program code of an information processing method for demultiplexing and decoding a bitstream which contains a plurality of object and management information for managing each of the plurality of object data, and reproducing a plurality of object data, comprising:

- a code of the extraction step of extracting, from the management information, time limit information which pertains to a time limit set for each of the one-or plurality of object data (Figure 1 shows the extraction of the management information which is further described in Page 14 Paragraphs 0201-0205. Furthermore, time limit information pertaining to

time limit set is described on Page 31 Paragraph 0512 and Page 37 Paragraph 0612 which describes the time limit information and the expiration of the time wherein the control information determines the time limits have expired); and;

- a code of the control step of controlling a reproduction process of each of the one or plurality of object data based on the time limit information (Page 37 Paragraph 0612 describes the time limit information which controls the reproduction of the object data due to the limits that are being implemented for the data).

[claim 28]

In regard to Claim 28, Shamoon et al discloses a program for implementing an information processing method, comprising:

- the steps of inputting a bitstream which contains one or a plurality of encoded object data, and management information for managing the object data (Figure 1 shows the inputting a bitstream containing encoded object data as further described on Page 2 Paragraphs 0044-0052);
- demultiplexing the bitstream into object data (Figure 1 shows the demultiplexing the bitstream into the object data as further described on Page 3 Paragraph 0060);
- extracting, from the management information, time limit information which pertains to a time limit set for the one or plurality of object data (Figure 1

shows the extraction of the management information which is further described in Page 14 Paragraphs 0201-0205); and

- controlling a reproduction process of the demultiplexed object data on the basis of the extracted time limit information (Figure 2 shows the time stamp wherein is controlled by the reproduction process as further described in Page 3 Paragraph 0056).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamie Vent whose telephone number is 571-272-7384. The examiner can normally be reached on 7:30am-5:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached on 571-272-7950. Effective July 15, 2005, the Central Fax Number will change to 571-273-8300. Faxes sent to the old number (703-872-9306) will be routed to the new number until September 15, 2005.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jamie Vent
02/02/06



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Art Unit 262 2616